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04 UNITED STATES DISTRICT COURT  
05 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

06 JAMES BAKER, ) CASE NO. C08-0565-JCC-MAT  
07 Plaintiff, )  
08 v. ) ORDER RE: MOTION FOR  
09 HOWARD ANDERSON, et al., ) APPOINTMENT OF COUNSEL  
10 Defendants. )  
11 \_\_\_\_\_ )

12 Plaintiff James Baker proceeds *pro se* and *in forma pauperis* in this 42 U.S.C. § 1983 civil  
13 rights case. Plaintiff now requests appointment of counsel. (Dkt. 20.) Defendants did not submit  
14 any opposition to this motion.<sup>1</sup> Having considered all documents filed in support of the pending  
15 motion, as well as the remainder of the record, the Court does hereby find and ORDER:

16 (1) There is no right to have counsel appointed in cases brought under § 1983.  
17 Although the Court, under 28 U.S.C. § 1915(e)(1), can request counsel to represent a party  
18 proceeding *in forma pauperis*, plaintiff has shown neither exceptional circumstances, nor an  
19 inability to articulate his claims *pro se* that would warrant the appointment of counsel. *See*  
20 *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986). Accordingly, plaintiff's motion for  
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22 <sup>1</sup> Plaintiff may not have mailed a copy of his motion to defendants. (*See* Dkt. 20, Attach. 1.) He is advised to provide defendants with copies of all filings in the future.

01 appointment of counsel (Dkt. 20) is DENIED.

02 (2) The Clerk is directed to send copies of this Order to plaintiff, to defendants, and  
03 to the Honorable John C. Coughenour.

04 DATED this 23rd day of July, 2008.

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06 Mary Alice Theiler  
07 United States Magistrate Judge  
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